



**[4910-13]**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2013-0175; Airspace Docket No. 13-AGL-12]**

### **Amendment of Class D and Class E Airspace; Traverse City, MI**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends Class D and Class E airspace at Traverse City, MI.

Additional controlled airspace is necessary to accommodate new Area Navigation (RNAV) Standard Instrument Approach Procedures at Cherry Capital Airport. This action enhances the safety and management of Instrument Flight Rule (IFR) operations at the airport.

Geographic coordinates are also updated.

**DATES:** Effective date: 0901 UTC, July 24, 2014. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone 817-321-7716.

**SUPPLEMENTARY INFORMATION:****History**

On January 8, 2014, the FAA published in the FEDERAL REGISTER a notice of proposed rulemaking (NPRM) to amend Class D and E airspace for the Traverse City, MI, area, creating additional controlled airspace at Cherry Capital Airport (79 FR 1341) Docket No. FAA-2013-0175. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Subsequent to publication, it was discovered that the geographic coordinates of Cherry Capital Airport and the Traverse City VORTAC did not coincide with those in the FAA's aeronautical database. This action corrects those coordinates. Except for these changes, this action remains the same as that published in the NPRM.

Class D and Class E airspace designations are published in paragraph 5000, 6002, and 6005, respectively, of FAA Order 7400.9X dated August 7, 2013, and effective September 15, 2013, which is incorporated by reference in 14 CFR Part 71.1. The Class D and Class E airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by amending Class D airspace, Class E airspace designated as a surface area, and Class E airspace extending upward from 700 feet above the surface at Cherry Capital Airport, Traverse City, MI, to accommodate new standard instrument approach procedures at the airport. Accordingly, an additional segment to the Class D airspace and Class E surface area

extends from the 4.4-mile radius of the airport to 5.3 miles south of the airport, and an additional segment to the Class E transition area extends from the 7.7-mile radius of the airport 10.3 miles south of the airport, retaining the safety and management of IFR aircraft in Class D and Class E airspace to/from the en route environment. Geographic coordinates of the airport are also updated to coincide with the FAA's aeronautical database.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Cherry Capital Airport, Traverse City, MI.

## **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

## **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air)

## **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

### **PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E. O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR Part 71.1 of the Federal Aviation Administration Order 7400.9X, Airspace Designations and Reporting Points, dated August 7, 2013, and effective September 15, 2013, is amended as follows:

Paragraph 5000 Class D Airspace.

\* \* \* \* \*

**AGL MI D Traverse City, MI [Amended]**

Traverse City, Cherry Capital Airport, MI

(lat. 44°44'30"N., long. 85°34'54"W.)

That airspace extending upward from the surface to and including 3,100 feet MSL within a 4.4-mile radius of Cherry Capital Airport, and within 1 mile each side of the 180° bearing from the airport extending from the 4.4-mile radius to 5.3 miles south of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6002 Class E Airspace designated as a surface area.

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**AGL MI E2 Traverse City, MI [Amended]**

Traverse City, Cherry Capital Airport, MI

(lat. 44°44'30"N., long. 85°34'54"W.)

Within a 4.4-mile radius of Cherry Capital Airport, and within 1 mile each side of the 180° bearing from the airport extending from the 4.4-mile radius to 5.3 miles south of the airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6005: Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.

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**AGL MI E5 Traverse City, MI [Amended]**

Traverse City, Cherry Capital Airport, MI

(lat. 44°44'30"N., long. 85°34'54"W.)

Traverse City VORTAC

(lat. 44°40'04"N., long. 85°33'00"W.)

Point in Space Coordinates

(lat. 44°39'08"N., long. 85°35'17"W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of Cherry Capital Airport, and within 4 miles west and 8 miles east of the Traverse City VORTAC 158° radial extending from the 7.7-mile radius to 14.4 miles south of the airport, and within 3.2 miles west of the 169° bearing from the point in space extending from the 7.7-mile radius to 9 miles south of the airport, and within 2 miles each side of the 180° bearing from the airport extending from the 7.7-mile radius to 10.3 miles south of the airport.

Issued in Fort Worth, TX, on April 2, 2014.

Kent M. Wheeler  
Manager, Operations Support Group  
ATO Central Service Center

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